

**ORIGINAL**

EATON, MS.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
Dr. George Pieczenik,

:  
Plaintiff *Pro Se*

-- against --

:  
(05-CIV-2193) (LTS) (DFE)

TIAA-CREF, Mr. Beaver, Henry McKinnell  
1 to 5 JANE DOES, 1 to 31 JOHN DOES,

:  
Defendants.

-----x

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/21/05

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED that the above-captioned action is stayed and that there shall be no further proceedings in this action, including any pleadings, motions, discovery, hearings, conferences and communications from Dr. Pieczenik to defendants and/or their counsel regarding this action, until the full and final adjudication or complete settlement of both of the following actions involving Dr. Pieczenik:

- (1) *Pieczenik v. Pfizer, Inc.*, 04CV4558 (LAK) (RLE); and
- (2) Dr. Pieczenik's appeals from the Final Administrative Determination of Frederick J. Beaver, Director, State of New Jersey Department of the Treasury Division of Pensions and Benefits, dated May 9, 2005.

This Stipulation and Order is without prejudice to any defendant's right to assert any claim or defense in this action at a later date.

Dated: June 16, 2005  
New York, New York

GEORGE PIECZENIK

By: George Pieczenik /RPF  
Dr. George Pieczenik, Pro Se

412 East 55<sup>th</sup> Street, Apr. 1F  
New York, New York 10022  
(212) 829-8491

MAYER, BROWN, ROWE & MAW LLP

By: S. Wolowitz  
Steven Wolowitz (SW-9405)  
Ryan P. Farley (RF-6984)

1675 Broadway  
New York, New York 10019  
(212) 506-2500

*Attorneys for Defendant TIAA-CREF*

PETER C. HARVEY,  
ATTORNEY GENERAL OF NEW JERSEY

By: David Dembe /RPF  
David Dembe, D.A.G.

Division of Law, P.O. Box 112  
Trenton, New Jersey 08625-0112  
(609) 984-0318

*Attorneys for Defendant  
Frederick J. Beaver*

**SO ORDERED:**

Dated: June 20, 2005

Douglas F. Eaton  
The Honorable Douglas F. Eaton

11

**Farley, Ryan P.**

---

**From:** GPieczenik@aol.com  
**Sent:** Wednesday, June 15, 2005 5:19 PM  
**To:** Farley, Ryan P.  
**Subject:** Re: Pieczenik v. TIAA-CREF, et al. -- Proposed Stipulation

Dear Mr.Farley,

I hereby authorize you to sign the stipulation on my behalf. Thank you for your work.

Best,

Dr. Pieczenik

## Farley, Ryan P.

---

**From:** David Dembe [David.Dembe@law.dol.lps.state.nj.us]  
**Sent:** Wednesday, June 15, 2005 2:50 PM  
**To:** GPieczenik@aol.com; Farley, Ryan P.  
**Cc:** Wolowitz, Steven  
**Subject:** Re: Pieczenik v. TIAA-CREF, et al. -- Proposed Stipulation

You have my proxy to sign. Please let me know if hard copy will be needed.

CONFIDENTIAL  
ATTORNEY-CLIENT PRIVILEGE  
ATTORNEY WORK PRODUCT

>>> "Farley, Ryan P." <RFarley@mayerbrownrowe.com> 6/15/2005 2:15:40 PM  
>>>  
Dr. Pieczenik & Mr. Dembe:

As per Judge Eaton's suggestion, attached is a proposed stipulation and order that is consistent with what was discussed on Monday.

If the proposed stipulation is acceptable, you may authorize me to sign it on your behalf. I will then send it to Judge Eaton and distribute executed copies of the stipulation to each of you.

Note that McKinnell is not a party to this stipulation yet. I understand from Mr. Trainor that he has not yet retained counsel for this matter.

rpf

<<Scan001.PDF>>

Ryan P. Farley  
MAYER, BROWN, ROWE & MAW LLP  
1675 Broadway  
New York, New York 10019  
tel: 212-506-2562  
fax: 212-849-5562

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.

---

Notice: This e-mail message and any attachment to this e-mail message contain information that may be legally privileged and confidential from the State of New Jersey, Department of Law and Public Safety, Division of Law. If you are not the intended recipient, you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please immediately notify us by return e-mail or by telephone at 609-292-5660 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the State of New Jersey, Department of Law and Public Safety, Division of Law. This notice is automatically appended to each e-mail message leaving the State of New Jersey, Department of

Law and Public Safety, Division of Law.